

EXHIBIT 260

UNDER PROTECTIVE ORDER

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, ET AL.,

Plaintiff,

vs.

CASE NO. 4:20-CV-00957-SDJ

GOOGLE, LLC,

Defendant.

VTC 30(b)(6)

DEPOSITION OF: THE STATE OF SOUTH CAROLINA
BY: REBECCA HARTNER
(Appearing by VTC)

DATE: APRIL 23, 2024

TIME: 9:13 a.m.

LOCATION: Zoom Videoconference

TAKEN BY: Counsel for the Defendants

REPORTED BY: Susan M. Valsecchi, Registered
Professional Reporter, CRR
(Appearing by VTC)

Job No. CS6655508

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14 (INDEX AT REAR OF TRANSCRIPT)
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1 of 2020?

2 MS. SCHULTZ: Objection, form.

3 THE WITNESS: That's incorrect.

4 The factual basis for our allegations
5 of harm would have been documents produced
6 by Google and third parties during -- during
7 the investigation, data, um...

8 BY MS. BRACEWELL:

9 Q. So setting aside Google documents,
10 about the conduct, I just want to ask if South
11 Carolina had any reports or analyses of the impact
12 in the state as of the time it brought the lawsuit
13 in December of 2020?

14 A. I would refer you, again, to all of the
15 documents produced during the investigation.
16 Otherwise, I'm not aware of a specific report or
17 anything I can point you to as of the time of the
18 investigation.

19 Q. Has South Carolina attempted to
20 quantify the number of publishers and advertisers
21 in-state who've been affected by Google's
22 anticompetitive conduct?

23 MS. SCHULTZ: I'll object here to work
24 product.

25 Ms. Hartner, if you're able to answer

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1 without disclosing work product, you may do
2 so.

3 THE WITNESS: I don't think I'm able to
4 answer without disclosing work product.

5 BY MS. BRACEWELL:

6 Q. Does South Carolina contend that
7 publishers and advertisers make up a substantial
8 segment of its population?

9 A. So we allege that the conduct is
10 widespread and statewide. It's our understanding
11 that it affects a significant part of our state
12 based on facts and data produced in this case and
13 ongoing discovery.

14 Q. Okay, understood. But you can't say
15 it's substantial -- it's a substantial segment of
16 the population, those publishers and advertisers
17 affected?

18 A. I would point you to my previous answer
19 and discovery is ongoing in this case and it will
20 be the subject of forthcoming expert reports as
21 well.

22 Q. Okay. But at present, setting aside
23 future expert reports, does South Carolina
24 presently contend that publishers and advertisers
25 affected by Google's conduct are a substantial part

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1 is ongoing, and that would be the subject of
2 forthcoming expert reports.

3 Q. Let me move to a different category of
4 individual, harm to consumers.

5 What is South Carolina's understanding
6 of the types of in-state consumers affected by the
7 alleged conduct?

8 A. Our understanding is that the harm is
9 statewide and widespread, and the documents and
10 data produced in this case and during the
11 investigation will support our understanding of the
12 harm, and that will be the subject of forthcoming
13 expert discovery.

14 Q. So would South Carolina consider all
15 internet users to be harmed, all Google users, or
16 all consumers of goods and services? How does the
17 category -- what does the category include?

18 MS. SCHULTZ: Objection, form.

19 THE WITNESS: Would you repeat the
20 question, please.

21 BY MS. BRACEWELL:

22 Q. Yes, sure.

23 So with respect to in-state consumers
24 that have been harmed, which of the following is
25 included: Google users, all internet users, and/or

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1 all consumers of goods and services?

2 A. So our understanding is that the harm
3 is widespread, and all the documents and data in
4 this case would support it, and it would be the
5 subject of expert testimony in this case. It's
6 premature for me to answer today.

7 Q. So if it's premature, you don't have a
8 view, sitting here today, about which of those
9 consumer types are harmed?

10 A. Sitting here today, I know that the
11 factual basis that we'll rely on and the support
12 for our -- our allegations and understanding that
13 it's widespread, and I'll refer you to forthcoming
14 expert testimony.

15 Q. So setting aside forthcoming expert
16 discovery, what I'm trying to understand, just
17 sitting here today, do you have a view about
18 whether all internet users are affected by the
19 alleged conduct here?

20 A. It's our understanding that the harm is
21 widespread and that might be the case, that the
22 internet users are all affected. I would just,
23 again, refer -- we'll be relying on documents and
24 data produced in this case to support our
25 understanding of the harm, and it will be the

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1 subject of expert testimony.

2 Q. Okay. So sitting here today, you don't
3 know which individuals in South Carolina are
4 harmed, fair?

5 A. Sitting here today, I'm not able to
6 identify particular individuals, however with the
7 caveat, our understanding is that it's widespread,
8 statewide, and discovery is ongoing.

9 Q. And sitting here today, you're not able
10 to identify which categories of individuals are
11 harmed, correct?

12 A. I'm unable to speak to those categories
13 that you spoke of sitting here today. The caveat
14 is that discovery is ongoing, our understanding is
15 that it's widespread, and that will be the subject
16 of forthcoming expert discovery.

17 Q. What is South Carolina's understanding
18 of the number of in-state consumers affected by the
19 alleged conduct?

20 A. So any calculations of harm will be the
21 subject of forthcoming expert discovery. We plan
22 to rely on all of the documents and data produced
23 in this case.

24 Q. So sitting here today, South Carolina
25 doesn't presently have an understanding of the

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CERTIFICATE OF REPORTER

I, Susan M. Valsecchi, Registered Professional Reporter and Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 23rd day of April, 2024 at Columbia, Richland County, South Carolina.



Susan M. Valsecchi, RPR, CRR
My Commission expires
December 4, 2024